to the public service, and to press forward the business of the courts in which he presides, as rapidly as is consistent with safety? There should be no cheese-paring in connection with the administration of justice. The courts should have enough divisions and enough judges to efficiently discharge the business coming before them, and until this at least, is assured, there can be no satisfactory reform. There is unquestionably an advantage in being able to retain leading counsel. How this can be obviated, it is difficult to see. It would not be practicable to have a state advocate in every court to oversee trials and equalize the benefit of counsel, so to speak. The advantage which the affluent enjoy as regards counsel, though, is much more than offset by the slight *penchant* of the bench and the all-devouring prejudices of the jury, against corporations, and the representatives of money influence generally.

"Quite apart from the popular cry for law reform, which is neither prompted by definite knowledge nor controlled by appreciation of the difficulties in the way, there is the earnest desire in the profession itself that anomalies should be removed, and that the administration of justice should at least keep pace with the enlightenment and progress of the times. I believe the weight of opinion in the profession is that any systematic revision of the substantive law with a view to its reformation is undesirable and practically impossible, but that there is a wide field for reform in procedure, in the direction of simplicity and despatch and to some extent, economy. That procedure should be simplified requires no argument. The fullest powers of summary amendment should be vested in the courts, provided that no suitor should thereby be taken by surprise. That it should be possible for any cause to be disposed of upon technical grounds, without its merits having been determined, is a serious reflection upon our whole legal system. Delays must be shortened and costs reduced as far as possible. Let the subject, however, be approached with some sense of responsibility."

"Another prolific source of delays," he says, "is the number of appellate courts and the facility with which appeals are taken. Some of the intermediate appeals might with advantage be done away with and the delay in the hearing materially shortened." J. W. G.

Defects in the Administration of Justice.—In a recent address before the Kansas State Bar Association, Burr W. Jones, Esq., of the Madison, Wis., bar, pointed out some of the causes of the widespread dissatisfaction with our existing methods of administering the criminal law. In the first place, punishment of crime is frequently too long delayed. Too much time is spent in the selection of juries. Panels could be greatly dispatched by the abolition of the examination of jurors on their *voir dire*. It should be no disqualification that a juror has read the newspapers and formed an opinion upon hearsay, but it should be sufficient to qualify him if he is competent to render an impartial verdict. The privilege of taking changes of venue is another source of delay, as is also the wide latitude of appeal usually allowed. Mr. Jones records that several years ago he attended a murder trial in the courtroom of the old Bailey in London, and was greatly impressed by the promptness with which the case was disposed of. There were no long arguments upon questions of evidence, and no impassioned appeals to the sympathies of the jury. The judge reviewed the facts of the law at the conclusion of the trial, which was terminated within six hours after it was called. "In America such a trial," he says,

"would have consumed at least three days." The practice of reversing the decisions of the trial court upon technical errors is also a prolific source of delay, and not infrequently of miscarriages of justice. The doctrine of former jeopardy has injured a great many, and guilty scoundrels have often gone free. The fact is, he says, we are too much wedded to technicalities, which were proper enough centuries ago when the criminal code was barbarous in its severity, when the prisoner had no right to testify in his own behalf and when he had neither the right to counsel nor appeal. Those things have long ago passed away and with them all excuses for the technical that are now superstitiously respected. It is better, far better, he says, much as we deplore it, that now and then an innocent man should be convicted of murder than that our courts should be a by-word and a reproach.

Mr. Jones suggests the following changes in our methods of procedure: A restriction of continuances; the allowing of changes of venue only upon affidavit supported by proof; the denial of new trials, except where it is plain that there has not been a miscarriage of justice; the right of appeal on behalf of the state; the right of the state to take depositions; and the extension of the power of the judge, particularly in respect to restricting the examination of jurors on the *voir dire,* in limiting the cross-examination of witnesses and in respect to the right of commenting on questions of fact. J. W. G.

Criticism of the Courts.—Judge William A. Huneke, of the Superior Court of the state of Washington, in a recent address before the Bar Association of his state, dwelt upon the increasing tendency to criticize the courts because of their decisions. Among the principal reasons for which the courts are frequently criticized, he mentioned the law's delay as one of the least excusable. He admitted, however, that some of the criticism was justified. "It is true," he said, "that in many of our courts the time consumed is unnecessarily, if not flagrantly, long. These delays are not due to the fault of any single agency, but are the product of many. As a rule, too much time is permitted an adverse party to plead. Too many dilatory motions and pleas are permitted and too great strictness in pleading is required. Too much time is lost in taking testimony, in the impaneling of the jury, and in the examination of the witnesses. Another source of delay is the dilatory conduct of the attorney. Casualties are also the cause of many delays. Parties, witnesses or attorneys take sick or remove from the jurisdiction of the court. Judges, too, are sometimes to blame. Not infrequently, they hold cases under advisement too long. Sometimes they are too lax in the conduct of court business. However, it should be stated in justice to the courts, that as a rule the judges are habitually urging counsel and parties to hasten, as a result of which the judges incur the ill-will of both. J. W. G.

New Ideas in the Administration of Justice.—In an address before the State Bar Association of Kansas at its last annual meeting C. A. Smart, Esq., of the Ottawa (Kan.) bar, president of the association, argued for the policy of paying prisoners for their labor. "I am advised," he said, "that the penitentiary of this state during the last year shows a cash profit from the investment in that institution and the labor of its inmates. That profit ought not to go into the state treasury; it does not belong there. The profit of the labor of each prisoner should be kept separate, placed in a fund